

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRUNSON COMMUNICATIONS, INC., :  
Plaintiff :  
 : NO. 02-CV-3223  
v. :  
 :  
ARBITRON, INC., :  
Defendant :

SUPPLEMENT TO PLAINTIFF S MOTION TO COMPEL

Plaintiff has moved that the Court compel responses to discovery by defendant Arbitron, and, in supplementation thereof, avers the following:

1. F.R.C.P. 33(a) provides: a party may serve upon any other party written interrogatories, not exceeding 25 in number including all discrete subparts . . .

2. Defendant refused to respond to plaintiff s interrogatories, asserting, inter alia, that Plaintiff s requests exceed the 25 Interrogatory limit set forth in Fed.R.Civ.P. 33. (Defendant s Responses to Plaintiff s Interrogatories and Requests, attached to the Motion to Compel as Exhibit C.)

3. Plaintiff s interrogatories do not contain discrete subparts. (Plaintiff s Interrogatories attached hereto as Exhibit A).

4. Plaintiff made a prompt and good faith effort to resolve this issue with defendant, by way of letter and attachments which plaintiff believed demonstrated its right to

propound the interrogatories. A copy of plaintiff's letter of April 15, 2003 (with attachments) is attached hereto as Exhibit B. Defendant, however, has entirely failed to respond to plaintiff's request or good faith efforts, and indeed, has made no response whatsoever.

5. Plaintiff inadvertently failed to address this issue in its Motion to Compel filed this date.

WHEREFORE, plaintiff respectfully requests that the Court order that defendant answer all of the interrogatories listed in Exhibit A.

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Counsel for Plaintiff

OF COUNSEL:

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